

United States Court of Appeals
For the Eighth Circuit

No. 13-3475

Brian T. Jordan

Plaintiff - Appellant

v.

Sgt. Brandon Carmean; Deputy Michael Niel; Investigator Jeremy D. Felton

Defendants - Appellees

Appeal from United States District Court
for the Western District of Arkansas - Fayetteville

Submitted: July 18, 2014

Filed: July 25, 2014

[Unpublished]

Before BYE, SMITH, and KELLY, Circuit Judges.

PER CURIAM.

Brian Jordan appeals after the district court¹ entered judgment on an adverse jury verdict in his 42 U.S.C. § 1983 action. On appeal, Jordan challenges only the

¹The Honorable Jimm Larry Hendren, United States District Judge for the Western District of Arkansas.

magistrate judge's² denials of his motions for appointment of counsel, and the district court's entry of judgment as a matter of law for one of the defendants during the trial. After careful review, we first conclude that the magistrate judge did not abuse his discretion in denying Jordan's motions for appointment of counsel. See Phillips v. Jasper Cnty. Jail, 437 F.3d 791, 794-795 (8th Cir. 2006) (abuse-of-discretion standard of review; setting forth relevant criteria for appointment of counsel). We further conclude that the district court did not err in granting judgment as a matter of law to one of the defendants. See Sisk v. Picture People, Inc., 669 F.3d 896, 899 (8th Cir. 2012) (de novo standard of review); Hopson v. Fredericksen, 961 F.2d 1374, 1378-79 (8th Cir. 1992) (upholding directed verdict for police officer on § 1983 claim where officer allegedly threatened physical injury if arrestee remained silent, but did not brandish weapon, physically assault arrestee, or make any type of physical gesture toward him). Accordingly, we affirm. See 8th Cir. R. 47B.

²The Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas.